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July 13, 2020

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary DeVos,

I am writing with serious concern regarding your comments early last week and over the weekend threatening to withhold critical federal funding to school districts unless they provide in-person instruction this fall. This reckless threat showcases a complete disregard for state and local conditions related to the spread of COVID-19, ignores the ability of individual schools and school districts to safely practice social distancing and implement enhanced sanitation procedures, and demonstrates your failure to recognize or consider the unique circumstances of individuals highly susceptible to the risks associated with this virus. You must immediately retract your comments and clarify that not a dollar of federal funding will be withheld from districts that choose not to provide in-person instruction in order to keep their communities safe. Additionally, I am requesting specific information about what the Department of Education is doing to prepare school districts to teach students in the safest manner possible, whether that be in-person, online, or a hybrid model.

Without question, we all want our children to return to school as soon as it is safe. In-person learning provides so much more than just face to face instruction, it allows for social interaction, more engaged classroom discussions, and better accommodations for students with disabilities. While returning to in-person instruction can and should be a priority, the rush to do so to make a political point needlessly risks the health and safety of our students, teachers, and school staff. The disastrous results of ignoring public health protocols in favor of a return to normal are clear. Last Thursday, the United States reported a record number of new cases reported within a 24-hour period, two days after breaking the previous record.¹ With cases increasing across the country, summer camps and summer school sessions have been forced to close due to COVID-19 outbreaks among attendees.² How can we safely open schools in the fall if we cannot safely operate summer programs with a fraction of the students?

While COVID-19 may cause lower mortality rates in our youth than older population, it does not by any circumstances leave them without serious risk. Children across the country have

¹ <https://www.cnn.com/2020/07/10/us-reports-record-single-day-spike-of-63200-new-coronavirus-cases.html>

² <https://www.nbcnews.com/news/us-news/kanakuk-kamps-battle-covid-cluster-n1233186> and <https://www.news-journalonline.com/news/20200709/volusia-summer-school-student-tests-positive-for-coronavirus-vpk-shuts-down>

experienced unique symptoms such as toxic shock syndrome, Kawasaki disease, cardiac inflammation, and gastrointestinal symptoms.³ Furthermore, exposing teachers, staff, and the families of students is unacceptable. Teachers and staff who fear for their health if schools return to in-person instruction are not “more interested in their own issues than they are about serving students.”⁴ First of all, it is unconscionable to suggest that it is wrong for teachers and staff to worry about their health and safety in addition to the health and safety of their students. Second, the spread of COVID-19 among teachers, staff, and the families of students would do irreparable harm to students. It is impossible to focus on learning when your trusted teacher or cherished relative is fighting for their life and the school closure that would follow an outbreak would further destabilize students’ lives. One teacher tragically lost her life in Arizona after contracting the virus during summer school session. Multiple members of her family are now battling the virus.⁵

Rushing to reopen schools will lead directly to preventable deaths. The longer we refuse to listen to science and public health officials about the risks of this deadly disease the longer we prolong school closures. The United States continues to suffer from the first wave of COVID-19 while nations that listened to public health experts are beginning to reopen and return to a semblance of pre-COVID-19 operations. Resuming in-person instruction before the virus is contained will only serve to spread the virus, contribute to rising hospitalization and death rates, and further traumatize our nation’s children. This is unacceptable. Given the limited time before the start of the school year, I am requesting a step by step plan detailing how the Department of Education will help schools operate safely this fall by July 17, 2020. Please address the following questions in the plan:

- How will the Department of Education provide technical assistance on sanitation procedures to school districts? Does the Department recommend school districts hire additional cleaning staff?
- Does the Department of Education recommend school districts follow the Centers for Disease Control and Prevention guidelines for schools? If not, what guidelines does the Department recommend school districts follow?
- How does the Department of Education recommend schools provide a wholistic in-person education when subjects such as chorus and physical education present an increased risk of COVID-19 transmission?
- How will the Department of Education help school districts with limited building capacity ensure desks are six feet apart?
- How many and what type of mask does the Department of Education recommend school districts provide for students, teachers, and staff? How will the Department of Education help school districts pay for and distribute these masks?
- What guidance will the Department of Education provide to school districts on the distribution of free and reduced price lunches to students if lunch is no longer provided in the cafeteria?

³ <https://www.franciscanhealth.org/news-and-events/news/covid-19-coronavirus-kawasaki-disease-children> and <https://discoveries.childrenshospital.org/covid-19-inflammatory-syndrome-children/>

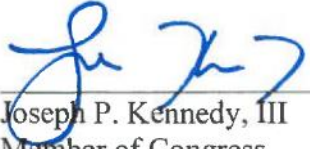
⁴ <https://www.foxnews.com/media/betsy-devos-school-reopenings-coronavirus-fearmongering-adults>

⁵ <https://www.cnn.com/2020/07/12/us/arizona-teachers-coronavirus/index.html>

- The Council of Chief State School Officers estimates that it will cost between \$158.1 billion and \$244.6 billion to safely reopen schools this fall.⁶ What level of federal funding do you support?

I look forward to your prompt response.

Sincerely,



Joseph P. Kennedy, III
Member of Congress

⁶ <https://www.washingtonpost.com/education/2020/07/08/what-it-could-cost-reopen-schools-with-covid-19-safety-measures/>